

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

MARY YUENGEL,

Plaintiff,

v.

G4S SECURE SOLUTIONS (USA), INC.

Defendant.

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CIVIL ACTION NO. 3:18-cv-00355

**NOTICE OF REMOVAL**

Defendant G4S Secure Solutions (USA), Inc. (“G4S”), through its counsel and pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, files this notice of removal from the 327<sup>th</sup> Judicial District Court, El Paso County, Texas, to the United States District Court for the Western District of Texas, El Paso Division, consistent with the following:

**I. Introduction**

1. On or about October 15, 2018, Plaintiff filed her Original Petition in the 327<sup>th</sup> Judicial District Court, El Paso County, Texas, captioned *Mary Yuengel v. G4S Secure Solutions (USA), Inc.*, No. 2018DCV3840. Plaintiff brings claims for violation of the Texas Labor Code § 21.001 *et seq.* related to her termination by G4S.

**II. Removal Procedures and Venue**

2. The Petition was served on G4S on October 26, 2018, and this Notice of Removal is timely filed within thirty (30) days of service pursuant to 28 U.S.C. § 1446(b).

3. Pursuant to 28 U.S.C. § 1446(a) copies of all process, pleadings, orders, and other papers filed in the state court action are attached to this Notice of Removal, including: the state court docket sheet (attached as Exhibit 1); and Plaintiff’s Original Petition (attached as Exhibit 2).

4. Pursuant to U.S.C. § 1446(d), G4S will promptly file a Notice of Removal with the 327<sup>th</sup> Judicial District Court, El Paso County, Texas.

5. Venue for this Removal Action is proper in the U.S. District Court for the Western District of Texas, El Paso Division, because this district and this division include El Paso County, Texas, where the state court action is pending. 28 U.S.C.S. § 124(d)(3).

### **III. Basis for Removal: Diversity Jurisdiction**

6. This Court has subject matter jurisdiction over this case pursuant to 28 U.S.C. § 1332, and it may be removed to this Court pursuant to 28 U.S.C. § 1441(a) because complete diversity of citizenship exists between the Plaintiff and G4S and because the amount in controversy exceeds \$75,000, exclusive of interest and costs.

#### **A. Complete Diversity Exists Between the Parties.**

7. There is complete diversity between the Plaintiff and G4S.

8. Plaintiff is a resident of El Paso, Texas. *See* Exhibit 2 ¶ 2. Therefore, Plaintiff is a citizen of Texas.

9. G4S is a Florida corporation with its principal place of business in Florida. Consistent with U.S.C. § 1332(a), “a corporation is a citizen of both its state of incorporation and the state of its principal place of business for purposes of diversity jurisdiction.” *Teal Energy USA, Inc. v . GT, Inc.*, 368 F.3d 873, 875 (5th Cir. 2004). Therefore, Defendant G4S is a citizen of Florida, and complete diversity exists between the parties.

**B. The Amount in Controversy Exceeds \$75,000.**

10. Plaintiff's Original Petition alleges that Plaintiff seeks damages for lost wages, lost wage earning capacity, past and future earnings, mental anguish, past and future, and other damages. *See* Exhibit 2 ¶ 11(a)-(c).

11. Plaintiff's Original Petition further alleges that she "seeks monetary relief over \$200,000, but not more than \$1,000,000." Based on the face of her petition, the amount of controversy exceeds \$75,000 in this matter.

**IV. Conclusion**

WHEREFORE, G4S respectfully requests the above-captioned action now pending in the 327th Judicial District of El Paso County, Texas, be removed to the United States District Court for the Western District of Texas, El Paso Division, and that this Court assume full jurisdiction over the case as provided by law.

Respectfully submitted,

/s/ Mark D. Dore

MOUNCE, GREEN, MYERS,  
SAFI, PAXSON & GALATZAN, PC  
100 N. Stanton, Suite 1000  
El Paso, Texas 79901  
Telephone: (915) 532-2000 ext. 534  
Facsimile: (915) 541-1548  
Email: MDOR@MGMSG.com

*Attorney for Defendant G4S Secure Solutions  
(USA), Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 19<sup>th</sup> day of November, 2018, a true and exact copy of the foregoing **NOTICE OF REMOVAL** was electronically filed with the Clerk of the District Court using the CM/ECF system:

John P. Valdez  
Davie & Valdez, P.C.  
1801 N. Stanton  
El Paso, Texas 79902

/s/Mark D. Dore  
Attorney for Defendant G4S Secure Solutions  
(USA), Inc.

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